

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

C.J.O., a minor, and S.L.O., a minor,)	
the heirs at law of Kelly L. Opp, deceased,)	
by and through Caryn Cottrill, as next)	ORDER GRANTING PLAINTIFFS'
friend,)	MOTION FOR REMAND
)	
Plaintiffs,)	
)	
vs.)	
)	Case No. 1:07-cv-015
Auto-Owners Insurance Company,)	
)	
Defendant.)	

Before the Court is the Plaintiffs' "Motion for Order of Remand" filed on February 27, 2007.

The Defendant had thirty (30) days to file a response, with the response due by April 3, 2007. See N.D. Ct. R. 7.1(B)(2). The Defendant did not respond to the pending motion to remand. Local Rule 7.1(C) provides that a failure on the part of an adverse party to file a brief with the Court "may be deemed an admission that, in the opinion of counsel, the motion is well taken." N.D. Ct. R. 7.1(C). Because of the Defendant's failure to file a brief in response to the pending motion, the Court **GRANTS** the Plaintiffs' Motion for Remand (Docket No. 3) and remands this case back to Burleigh County District Court, State of North Dakota.

IT IS SO ORDERED.

Dated this 11th day of April, 2007.

/s/ Daniel L. Hovland

Daniel L. Hovland, Chief Judge
United States District Court